UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Court File No.: 09-cv-816(DSD/SRN)

Devon Seivers,

Plaintiff,

v.

**City of Minneapolis, Minneapolis Police
Officers James Bulleigh (Badge #0860) and
Daniel Lysholm (Badge #4309), both
individually and officially, John Does and
other unnamed Police Officers, and
Timothy Dolan, Chief of Minneapolis
Police, personally and individually,**

**STIPULATION TO EXTEND
DISCOVERY AND PRETRIAL
DEADLINES**

Defendants.

IT IS HEREBY STIPULATED AND AGREED, by and between the parties hereto,

through their respective counsel, that there is good cause to extend the pretrial schedule in this

action as set forth herein pursuant to Local Rule 16.3(a).

(1)   Discovery that remains to be completed: The Plaintiff has yet to fully respond to

Defendants' written discovery; both parties have not yet completed oral depositions of opposing

parties. In addition, any Rule 35 medical examination has yet to be completed.

(2)   Discovery that has been completed: Both parties have completed Rule 26

disclosures and both parties have served written discovery. Defendants have responded to

Plaintiff's Interrogatories and Request for Production of Documents. Plaintiff Seivers must

complete employment and non-medical authorizations. Neither the depositions of Plaintiff, nor

of the defendant police officers have occurred. The parties have conferred regarding their

remaining discovery matters and the scheduling demands on both counsel. The parties now

contemplate they can be resolved without additional court-intervention.

(3)   Why all discovery has not been completed: The parties stipulate and agree that the following good cause exists for extension of the discovery date: Both parties require additional time for depositions, and to complete and review Plaintiff's written discovery responses. Further, Plaintiff's discovery responses are concededly long overdue. This was based in part on intensive demands in other State and federal litigation on Plaintiff's counsel and current lack of support resources. Defendants' counsel has not been able to schedule depositions based on litigation demands on the City Attorney's office, including a public utility hearing forthcoming in the entire month of April until May 5, 2010. Given the serious issues at stake for both sides, Plaintiff submits that a reasonable extension of time serves the goals of Federal Rule of Civil Procedure 1, regarding a "just" resolution of this matter. The parties believe that a reasonable extension would allow both parties to complete the necessary discovery and motion practice.

(4)   How long it will take to complete discovery: The parties stipulate and request that the Court adopt and enter the following modifications to the Pretrial Order:

Discovery Plan

1.   Discovery shall be commenced in time to be completed by June 1, 2010.

2.   Unchanged.

3.   Unchanged.

4.   Unchanged.

5.   Unchanged.

6.   Unchanged.

Non-Dispositive Motions

1.   Unchanged.
2.   All other non-dispositive motions and supporting documents, including those which relate to discovery, shall be served and filed by June 10, 2010.

3.   Unchanged.

1.   Dispositive MotionsAll dispositive motions shall be served, filed and scheduled by the parties by July 1, 2010.

2.   Unchanged.

Trial

This case shall be ready for a **Jury** trial on September 1, 2010, , or upon resolution of any pending dispositive motions.   Each side may call no more than 2 expert witnesses. Anticipated length of trial is 3-4 days.

To the extent not modified herein, the terms of the Pretrial Order dated May 21, 2009 (Doc. No. 5), remain in effect.

Dated: 3-30-2010

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